

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SUSAN M. LEV,

Plaintiff,

-against-

ORDER
10-CV-5435(JS)(ARL)

SOUTH NASSAU COMMUNITIES HOSPITAL,
MICHAEL TERUSHKIN, LEONID
TSYMBALUK, MICHAEL TSYMBALUK,
PAUL GIORDANO, MARY GOLDEN,
WILLIAM ULRICH, JOSEPH MIHALICH,

Defendants.

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APPEARANCES:

For Plaintiff: Susan M. Lev, Pro Se
431 Long Beach Road
Island Park, NY 11558

For Defendants: No appearances

SEYBERT, District Judge:

On November 22, 2010, pro se plaintiff Susan M. Lev ("Plaintiff") commenced this action against the defendants, South Nassau Communities Hospital, Michael Terushkin, Leonid Tsybaluk, Michael Tsybaluk, Paul Giordano, Mary Golden, William Ulrich and Joseph Mihalich (collectively, "Defendants"), pursuant to Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (as amended), and filed an application to proceed in forma pauperis. Upon review of the declaration in support of Plaintiff's application, and for the reasons stated below, Plaintiff's request to proceed in forma pauperis is GRANTED.

Plaintiff's declaration states that she is currently unemployed and receives weekly unemployment benefits of \$405.00.

Plaintiff declares that her monthly rent is \$950 and that she has no savings. Plaintiff further declares that she has unspecified debt exceeding \$25,000.

To qualify for in forma pauperis status, the Supreme Court has long held that "an affidavit is sufficient which states that one cannot because of his poverty pay or give security for the costs [inherent in litigation] and still be able to provide himself and dependents with the necessities of life." Adkins v. E.I. Du Pont De Nemours & Co., Inc., 335 U.S. 331, 339, 69 S. Ct. 85, 93 L. Ed. 43 (1948) (internal quotation marks and citations omitted). Plaintiff's declaration meets this standard.

Accordingly, Plaintiff's motion to proceed in forma pauperis is GRANTED. The United States Marshal Service is directed to serve the Complaint upon the Defendant without prepayment of fees.

SO ORDERED.

/s/ JOANNA SEYBERT
Joanna Seybert, U.S.D.J.

Dated: November 30, 2010
Central Islip, New York